App. F. IX-4

Previous References

1935.
(Lights

File No. 46-35

Serial Nos. 145-148

Letter References.

PRESERVED

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Four

Part B for February 1936

SUBJECT.

Rules regarding permits to Motor Launches.

WD 0418—GPB—22,500—23-8-36

6/6/37

Rules regarding permits for motor lorries.

Serial No.

W

P

RE: PERMITS FOR PRIVATE MOTOR LORRIES.

x x

According to Section 23 of the Road Traffic and Taxes Regulation, no person shall use a motor lorry on a road without a permit, and Government may, by rules, prescribe the conditions subject to which the permit may be granted.

Draft rules on the subject are submitted herewith.

The Todhunter Committee recommended that private lorries should obtain licenses and that these should be granted only when they are necessary for the applicant's business and should be limited to a fixed radius, beyond which they should be liable to tolls. The object underlying this recommendation was that, while every facility should be given to the private lorry owner for the use of the vehicle on his business, there must be sufficient regulation and control to ensure that the vehicle is not used for purposes of hire under the guise of a private vehicle thus escaping the rules and higher taxes to which the former is subject. The authority granting the permit was accordingly required to take the nature and extent of the business into consideration in fixing conditions such as the area in which the vehicle is to work, the classes of goods to be carried etc.

According to the draft rules submitted herewith,

(i) Every private lorry, except those exempted

NOTE.—Contn. Sheet.

WD 03594—GPB—30,000—13-7-35

under Rule 2, has to obtain a private carrier's permit.

(ii) These permits are available for two years.

(iii) Permits are granted by Deputy Commissioners themselves in cases where the area for the working of the lorry is within ~~his~~ their District, or within ~~his~~ their District and a neighbouring District.

In cases where the application is for more than two Districts, the application is to be referred to the Board and permits issued in accordance with their instructions.

(iv) In fixing the conditions such as the area, the class of goods to be carried, the authority granting the permit has to take into consideration the nature and extent of the business and the facilities required reasonably for it.

(v) The permit covers casual journeys beyond the area, during such journeys, the lorry is liable to tolls, in the area beyond that specified in the permit.

(vi) Lorries are subject to periodical inspection as may be fixed by the Board. The inspection is prescribed by Section 24.

(vii) The provisions for appeals are the same as those for public service vehicles.

These rules will be published in the issue of the Gazette of the 5th proximo and objections and suggestions invited up to 15th proximo.

3178/P/38

Rules regarding permits for motor lorries 3

General and Revenue Secretariat | File No. | of 193 . | [App. F. III—2

Serial No.

The Draft rules are submitted for approval
First Member)
Through
Genl Secretary.

VKR 29/11

9nd 30/11

VKR 30/11

GOVT. OF INDIA SECRETARIAT
29 NOV. 1935
1648

OFFICE OF THE FIRST MEMBER OF COUNCIL
30 NOV. 1935
No. 3814

SPM 3/12

Passed as personally approved

VKR 5/12/35

Issued no p 3864 & 5.12.35 to the Compiler mvp Gaz for publication.

Draft final notifn is subd.

350 printed copies are despatched to be sent to the I.G.P. and 450 copies to this office & 250 copies ... to him.

No objections or suggestions have been received. The rules will be published finally in the Gazette of the 19th as approved personally

First Member)

VKR 18/12

Issued no p 3993 & 18.12.35 to the Compiler mvp Gaz Rules re. permits for lorries.

Issued no p. 4085-92 & 24.12.35 to all ... Instructions re. rules for Motor lorries.

published at pages 585-591 of part IV of Gaz & 19.12.35

NOTE—Contn Sheet.

WD 03594—GPB—30,000—13-7-35

4 Rules regarding permits for motor lorries.

3178/P of 35

Legis File No. 46 of 1935.

General and Revenue Secretariat

+ instructions to Dcs.

Final notification issued the file will be closed for the present if approved.

3/ 3.2.36

~~Issued vide P 4085-92 of 13.11.35~~

In the instructions issued to the Dist. Magistrates re. grant of permits for public service motor vehicles used for private motor lorries, they were asked to consult instructions re. the formation of the Board's office for referring to the Board such matters as under the rules required their orders. Such for example are applications from private lorries to ply in more than two districts from public service lorries to ply in one more than Dist. for inservice on through routes etc.

A letter will issue that the Board office have been instructed references may be made to the Board in future.

Fin. Member) 10/2

2/2

Jpn 13/2

Draft. 10/2.

S 2669 (312)

Rules regarding permits for motor lorries, 3 8/35

General and Revenue Secretariat | Legs File No. 46 of 1935 | [App. F. III—2

Serial No.

Dft Subd.
8/12/36

Discuss AAR 14/2.

Secret no p 5477-84 of 15/17th Feby 1936 to all Dt. Magts Of Dists stating that all such matters which pertain to the Traffic Board all may be referred to the Board.

B
9/2/37

F.B. Office.
No original draft Rules are not to be found in the file.
Hence returned unto
out being recorded.
24
5/5/37

Kindly note in the file that Rules as per draft dated [illegible] are not in the envelope.
7/5/37

6.5.37
The (Govt) approved draft Rules sent to the Press on 6.5.37 and the same is in the file along with the edited printed
8/6/5/37

NOTE.—Contn. Sheet.

W D 03694—G P B—30,000—18-7-35

Appendix F G—1]

SUBJECT.....

.....

.....

Section

File No.

Serial No. 145

~~No.~~ Notfn

~~To~~

Diary No. of letter replied to..... .....

General and Revenue Secretariat

( )

the *193* .

Date of issue.....

Signed by .....

List of enclosures.....

Copied by .....

In exercise of the powers conferred on them by Sections 23 & 24 of the Mysore Road Traffic & Taxation Regulation, VI of 1935, the Govt of H. H. the Maharaja are pleased to issue the following Rules regarding permits for motor lorries, the draft rules in the said behalf having been published with notification No P 3664/Legis 46-35 dt 5th Decbr 1935 and published at page 553 of part IV of the Mysore Gazette dt 10th Decbr 1935.

These rules will come into force from the 1st January

B.O.

To the Compiler Mysore

~~Examined by~~ Gaz for publication in part IV of the mysore Gaz dt 19.12.35

+ for printing and supply of 1125 printed copies ~~to~~ each to the Secs. of State and 350 copies to the P.S.P

Gen. Secy 18/12/35

WD 03601—GPB—30,000—23-9-35

NOTIFICATION.

No. P. 3664—Legis. 46-35, dated 5th December 1935.

The following draft rules which the Government propose to make in exercise of the powers conferred upon them by Sections 23 and 24 of the Mysore Road Traffic and Taxes Regulation, 1935, regarding motor lorries are hereby published for the information of persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 15th December 1935 and that any suggestions or objections which may be received from any person in respect of the said rules before the date aforesaid will be considered by Government.

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

RULES REGARDING PERMITS FOR MOTOR LORRIES.

Permits for motor lorries.

1. (*a*) No motor lorry shall be used on a public road, unless a permit has been issued in respect of such lorry by the authority prescribed under these rules.

(*b*) In the case of public service motor lorries, this permit shall be in the form prescribed for the purpose under the public service motor vehicles rules.

(*c*) Motor lorries other than those referred to in sub-rule (*b*) above shall obtain a permit hereinafter referred to as the Private Carrier's Permit in Form 1 *annexed to these rules.

Exemptions from permits.

2. Nothing in this rule shall apply to a motor lorry—

(*a*) belonging to His Highness the Maharaja or His Highness the Yuvaraja of Mysore,

(*b*) proceeding to the office of Registration for being registered,

(*c*) proceeding after such registration to the office of the authority empowered to issue permits for the purpose of obtaining such permit,

* Same as Form No. 3, *Vide* Appendix to Public Service Motor Vehicle Rules.

(*d*) carrying a general trade number under the provisions of the Mysore Motor Vehicles Rules and used only for purposes specified in such rules,

(*e*) belonging to the Mysore or British Military or used by them for military purposes,

(*f*) used for police, fire-brigade or ambulance purposes,

(*g*) belonging to the Hon'ble the British Resident in Mysore,

(*h*) used for towing a disabled motor vehicle or for removing goods from a disabled vehicle to a place of safety,

(*i*) used by a local authority for road cleansing road-watering or the collection or disposal of refuse, night soil or the contents of cess-pools,

(*j*) exempted from the operation of rule 1 above by a notification or order of Government issued in this behalf from time to time.

3. The private carrier's permit referred to in rule 1 (*c*) shall entitle the holder thereof to use the vehicle for the carriage of *bona fide* personal goods or for or in connection with any trade or business carried on by him.

4. For the purposes of the above rule, motor lorries belonging to a person and employed on—

(*a*) the delivery or collection by the person of goods sold, used or let on hire or hire-purchase in the course of a trade or business carried on by him,

(*b*) the delivery or collection by a person of goods which have been or are to be subjected to a process or treatment in the course of a trade or business carried on by him,

(*c*) the carriage of goods in a vehicle by a manufacturer, agent or dealer, whilst the vehicle is being used by him for demonstration purposes,

shall be deemed to be vehicles used for the carriage of goods for or in connection with a trade or business carried on by the person.

Classes of permits.

5. The private carrier's permits shall be of the following classes:—

(i) Ordinary private carrier's permits.

(ii) Short-term private carrier's permits

(i) Ordinary private carrier's permits are permits granted to those in Mysore or carrying on their trade or business in Mysore for the use of the motor lorry on such trade or business carried on by him and shall, unless previously revoked or cancelled, be valid for a period ending with the 30th day of June next to the one immediately succeeding the day of the grant of the permit.

(ii) With a view to enabling motor lorries to be used temporarily for the purposes of a seasonal business or for the purposes of the execution of a piece of work or for any purpose of a limited duration, a short-term private carrier's permit may be granted in respect of a motor lorry belonging to a person or in his possession for any period less than the period of currency specified in the above sub-rule.

The permit to be carried on the vehicle.

6. The private carrier's permits referred to in the above rules shall, while the vehicle is in motion, be always carried on the vehicle and be available for inspection by any officer of the Board or any police constable or any magistrate or authorities of the toll-gate.

Transfer of permits.

7. No private carrier's permit granted under these rules shall be transferred from one registered owner to another save with the approval of the authority granting the permit. The fact of the transfer shall be endorsed upon the said permit by the said authority.

A fee of Rs. 10 shall be charged for every such endorsement.

Applications for permits.

8. (i) Any person applying for a private carrier's permit shall submit to the authority empowered in this behalf an application in a prescribed form containing particulars of motor lorries which belong to him or are in his possession, the particulars of the business or trade on which the motor lorry is to be used, the district within which or the places within which the vehicles will normally be used and such other information including the class of goods for the carriage of which the lorry will normally be used as may reasonably be required by the said authority for the discharge of his duties in relation to the said application.

(ii) Applications for private carrier's permits shall be made to the District Magistrate of the district in which the owner resides or carries on the trade or business in respect of which the vehicle is used.

5

(iii) Persons residing outside Mysore or having no place of business in Mysore shall apply to the District Magistrate of the district in which the vehicle is to be used or in case of vehicles to be so used in more than one district to the District Magistrate of the district in the limits of which the motor lorry is to pass first immediately on its entry into the State.

Officers empowered to grant permits.

9. (i) The District Magistrate shall be the officer empowered to grant private carrier's permits.

(ii) Such permits may be granted by the District Magistrate himself in regard to motor lorries which are to be normally used within the limits of his district and those of one other district adjacent to the said district.

(iii) Applications for permits for motor lorries in cases other than those specified in sub-rule (ii) above shall be referred by the District Magistrate to the Traffic Board with such recommendation as he may deem fit to make, and permits issued in accordance with their directions. The same procedure as that prescribed for the grant of permits on Through Routes for motor buses in Rule 27 (I) shall be followed in this case.

Permit to specify area and other conditions.

10. The authority empowered to issue the private carrier's permit shall specify in the said permit the area in which the motor lorry shall normally be used, and the commodities such motor lorry shall normally transport. In fixing these, the said authority shall take into consideration the nature, the extent and the requirements of the trade or business in respect of which the vehicle is to be used and facilities normally and reasonably required therefor.

General conditions applicable to all permits.

11. It shall be a condition of every private carrier's permit.—

(*a*) that the vehicle is maintained in a fit and serviceable condition.

(*b*) that any provisions of these rules and the Mysore Motor Vehicles Rules and orders with respect to limits of speed and weight, laden and unladen and the loading of goods vehicles are complied with.

(*c*) that the vehicle is not used for the carriage of persons or goods for hire or reward except under a short-term or special permit prescribed under the rules for the public service motor vehicles.

(*d*) that the vehicle is not used for the carriage of goods other than those specified in the permit.

12. The authority granting the permit may, from time to time, on the application of the holder of the license cancel or vary the area in which the said lorry is permitted to be normally used or the class of goods it is allowed to transport. The said variation shall be valid for the period specified therein. Variation of the conditions of the permit.

13. Private Carrier's permits are valid for the area and the period specified therein. Validity of permits.

(i) provided that the said permit shall cover casual, outward and home journeys through any of the districts of the State.

(ii) Motor lorries on such casual journeys shall be liable to Government tolls in the area beyond that specified in the permit.

(iii) the bridges and the roads specified in Schedule V of the Road Traffic and Taxes Regulation and bridges and roads to be constructed hereafter referred to in section 20 of the said Regulation shall not be included in the area permitted for such lorries. Such lorries should pay tolls while passing toll-gates established on such roads or bridges.

14. Rule 63, rule 12 and rules 91 to 96 of the rules for Public Service Motor Vehicles *re* the carriage of persons on motor lorries, the inspection of motor lorries and appeals, shall also apply in the case of motor lorries. Carriage of persons on motor lorries Inspection of private motr lorries. Appeals.

Printed by the Superintendent at the Government Press, Bangalore.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

General and Revenue Secretariat,

No. 3664 Law 35-36/35-1

Dated Bangalore, 2nd December, 1935.

NOTIFICATION.

The following draft rules which the Government propose to make in exercise of the powers conferred upon them by Sections 23 & 24 of the Mysore Road Traffic and Taxes Regulation, 1935, regarding ~~Permits for~~ Motor Lorries are hereby published for the information of persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 15th of December 1935 and that any suggestions or objections which may be received from any person in respect of the said rules before the date aforesaid will be considered by Government.

(Here enter

General Secretary to Govt.

To

The Compiler, Mysore Gazette, for publication in Part IV of the Mysore Gazette dated 5.12.35, and for the supply of 50 copies to this office.

GSG:10.

RULES REGARDING PERMITS FOR MOTOR LORRIES.

Permits for motor lorries.

1.(a) No motor lorry shall be used on a public road, unless a permit has been issued in respect of such lorry by the -- authority prescribed under these rules.

(b) In the case of public service motor lorries, this permit shall be in the form prescribed for these vehicles under the public service vehicles Rule.

(c) Motor lorries other than public service motor lorries shall obtain a -- private Carrier's permit in form 1 annexed to these rules.

Exemptions from permits.

2. Nothing in this rule shall apply to a motor lorry

(a) belonging to His Highness the Maharaja or His Highness the Yuvaraja of Mysore

(b) proceeding to the office of Registration for being registered

(c) proceeding after such registration to the office of the authority empowered to issue permits for the purpose of obtaining the permits, (d) carrying a general trade number under the provisions of the Mysore Motor Vehicles Rules and used only for purposes specified in such Rules,

(d) belonging to the Mysore or British Military or used by them for Military purposes

(e) used for police, fire-brigade or ambulance purposes

(f) belonging to the Hon'ble the British Resident in Mysore

(g) used for towing a disabled motor vehicle or for removing goods from a disabled vehicle to a place of safety

(h) used by a local authority for road cleansing, road watering or the collection or disposal of refuse, night-soil or the contents of cess-pools.

3. The private carrier's permit referred to in rule (1)c, shall entitle the holder thereof to use the vehicle for the carriage of goods for or in connection with any trade or business carried on by him.

4. For the purposes of the above rule, motor lorries belonging to a person and employed on

(a) the delivery or collection by the person of goods sold, used or let on hire or hire purchase in the course of a trade or business carried on by him

(b) the delivery or collection by a person of goods which have been or are to be subjected to a process or treatment in the course of a trade or business -- carried on by him

(c) the carriage of goods in a vehicle by a manufacturer, agent or dealer, whilst the vehicle is being used by him for demonstration purposes, ~~shall~~ also shall be deemed to be vehicles used for the carriage of goods for or in connection with the trade or business carried on by the person.

Classes of Permits.

5. The private carrier's permits shall be of the following classes:-

(i) Ordinary private carrier's Permits.

(ii) Short-term private carrier's permits.

(i) Ordinary private carrier's permits are permits granted to those in Mysore or carrying on their trade or business in Mysore for the use of the motor lorry on such trade or business carried on by them and shall, unless previously revoked or cancelled, be valid for a period ending with the 30th June next to the one immediately succeeding the day of the grant of the permit.

(ii) With a view to enabling motor lorries to be used temporarily for the purposes of a seasonal business or for the purposes of the execution of a piece of work or for any purpose of a limited duration, ~~in respect of a vehicle belonging to a person or in his possession~~, a short term private carrier's permit may, at the discretion of ~~the~~ competent authority be granted ~~for periods less than the~~ in respect of a vehicle belonging to a person or in his possession, for any period less than the

currency
period of ~~commencing~~ specified in the above sub-rule.

Permit to be carried on the vehicle.

6. The private carrier's permits referred to in the above rules shall, while the vehicle is in motion, be always carried on the vehicle and be available for inspection by any officer of the Board or any police officer of and above the rank of constable or any Magistrate. ~~or authorities of the toll-gate~~.

Transfer of permits.

7. No private carrier's permit granted under these rules shall be transferred from one registered owner to another save with the approval of the authority granting the permit. The fact of the transfer shall be endorsed upon the said permit by the said authority.

A fee of Rs10/- shall be charged for every such endorsement.

Applications for permits.

8 Any person applying for a private carrier's permit shall submit to the authority empowered in this behalf an application in a prescribed form containing particulars of motor lorries which belong to him or are in his possession, the particulars of the business or trade on which the motor lorry is to be used, the District within which or the places within which the vehicles will normally be used and such other information including the class of goods for the carriage of which the lorry will normally be used as may reasonably be required by the said authority for the discharge of his duties in relation to the said application.

6. Applications for private carrier's permits shall be made to the District Magistrate of the District in which the owner resides or carries on the trade or business in respect of which the ~~mk~~ vehicle is used.

(iii) Persons residing outside Mysore or having no place of business in Mysore shall apply to the District Magistrate of the District in which the vehicle is to be used or in case of vehicles to be so used in more than one District to the District Magistrate of the District in the limits of which the motor lorry is to pass first immediately on entry to the State.

(Officers empowered to grant permits)

9. (i) The District Magistrate shall be the officer empowered to grant private carrier's permits.

(ii) Such permits may be granted by the District Magistrate himself in regard to motor lorries which are to be normally used within the limits of his District and those of one other District adjacent to the said District.

(iii) Applications for permits for motor lorries in cases other than those specified above shall be referred by the District Magistrate to the Traffic Board with such recommendation as he may deem fit to make, ~~to the Traffic Board~~ and permits issued in accordance with their directions. The same procedure as that prescribed for the grant of permits on Through Routes for motor

Rules relating to Public service motor vehicles

motor buses in Rule 27 of the shall be followed in this case.

/8. The authority empowered to issue the private carrier's permit shall -- specify in the said permit the area in which the motor lorry shall normally be used, and the commodities such motor lorry shall normally transport. In fixing these, the said authority shall take into consideration the nature, the extent and the requirements of the trade or business in respect of which the vehicle is to be used and facilities normally and reasonably required therefor.

Permits to specify area and the class of goods

/9. It shall be a condition of every private carrier's permit,

General conditions applicable to every permit.

(a) that the vehicle is maintained in a fit and serviceable condition

(b) that any provisions of these and ~~motor~~ the aforesaid motor ~~xxxxxx~~ Vehicles Rules and orders with respect to limits of speed and weight, laden and unladen and the loading of goods, vehicles are complied with,

(c) that the vehicle is not used for the carriage of persons or goods for hire or reward except under a ~~short-term or special~~ permit prescribed under the rules for the public service motor vehicles

(d) that the vehicle is not used for the carriage of goods other than those -- specified in the permit.

Variations of conditions of the permit

12. The authority granting the permit may, from time to time, on the application of the holder of the license cancel or vary the area in which the said lorry is permitted to be normally used or the class of goods it is allowed to transport. The said variation shall be valid for the -- period specified therein.

Validity of Permits.-

13. Private Carrier's permits are valid for the area and the period specified therein,

(i) provided that the said permit shall cover casual, outward and home -- journeys through any of the Districts of the State,

(ii) Motor lorries on such casual journeys shall be liable to Government tolls in the area beyond that specified in the permit.

(iii) The bridges and the roads -- specified in Schedule V of the Road Traffic and Taxes Regulation and bridges and roads to be constructed hereafter referred to in Section 20 of the said Regulation shall not be included in the area permitted for such lorries. Such lorries should pay tolls while passing

toll-gates established on such roads or bridges.

Carriage of persons ~~on motor lorries.~~ -

14. In regard to inspections, carriage of persons, appeals

Rules 12, 63, and 91 to 96 of the Rules regarding Public Service motor vehicles shall ~~also~~ apply in the case of these motor lorries also

Inspection ~~of private motor lorries.~~ -

Rule 12 of the Rules regarding Public Service motor vehicles shall apply.

Appeals.

Rules 91 to 96 of the Rules regarding Public Service motor vehicles shall apply.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF YSORE. 16

General and Revenue Secretariat,

No. P 3993 Dated Bangalore, ...18th Decr.....193 5.

Secy's 46-35-1416

NOTIFICATION.

In exercise of the powers conferred on them by sections 23 & 24 of the Mysore Road Traffic and Taxes Regulation VI of 1935, the Government of His Highness the Maharaja are pleased to issue the following rules regarding permits for motor lorries, the draft rules in the said behalf have been notified with Notification No. P. 3564/Legis. 46-35 dated 5th December 1935 and published at page 553 of Part IV of the Mysore Gazette dated 5th December 1935. These rules will come into force from the 1st January 1936.

By Order,

GENERAL SECRETARY TO GOVERNMENT.

Compiler, Mysore Gazette, for publication in Part IV of the Mysore Gazette dated 19th December 1935 and for printing and supplying direct 25 printed copies each to the Deputy Commissioners of Districts and 350 copies to the Inspector-General of Police and 450 copies to this office.

17

NOTIFICATION.

No. P. 3993—Legis. 46-35, dated Bangalore, 18th December 1935.

In exercise of the powers conferred on them by Sections 23 and 24 of the Mysore Road Traffic and Taxes Regulation, VI of 1935, the Government of His Highness the Maharaja are pleased to issue the following rules regarding permits for motor lorries, the draft rules in the said behalf having been notified with Notification No. P. 3664—Legis. 46-35, dated 5th December 1935 and published at page 553 of Part IV of the *Mysore Gazette*, dated 5th December 1935. These rules will come into force from the 1st January 1936.

RULES REGARDING PERMITS FOR MOTOR LORRIES.

Permits fo motor lorries.

1. (*a*) No motor lorry shall be used on a public road, unless a permit has been issued in respect of such lorry by the authority prescribed under these rules.

(*b*) In the case of public service motor lorries, this permit shall be in the form prescribed for the purpose under the Public Service Motor Vehicles Rules.

(*c*) Motor lorries other than those referred to in sub-rule (*b*) above shall obtain a permit hereinafter referred to as the Private Carrier's Permit in Form 1 *annexed to these rules.

Exemptions from permits.

2. Nothing in this rule shall apply to a motor lorry—

---

* Same as Form No. 3, *Vide* Appendix to Public Service Motor Vehicle Rules.

(*a*) belonging to His Highness the Maharaja or His Highness the Yuvaraja of Mysore,

(*b*) proceeding to the office of Registration for being registered,

(*c*) proceeding after such registration to the office of the authority empowered to issue permits for the purpose of obtaining such permit,

(*d*) carrying a general trade number under the provisions of the Mysore Motor Vehicles Rules and used only for purposes specified in such rules,

(*e*) belonging to the Mysore or British Military or used by them for military purposes,

(*f*) used for police, fire-brigade or ambulance purposes,

(*g*) belonging to the Hon'ble the British Resident in Mysore,

(*h*) used for towing a disabled motor vehicle or for removing goods from a disabled vehicle to a place of safety,

(*i*) used by a local authority for road cleansing, road-watering or the collection or disposal of refuse, night-soil or the contents of cess-pools

(*j*) exempted from the operation of rule 1 above by a notification or Order of Government issued in this behalf from time to time.

3. The private carrier's permit referred to in rule 1 (*c*) shall entitle the holder thereof to use the vehicle for the carriage of *bona fide* personal goods or for or in connection with any trade or business carried on by him.

4. For the purposes of the above rule, motor lorries belonging to a person and employed on—

(*a*) the delivery or collection by the person of goods sold, used or let on hire or hire-purchase in the course of a trade or business carried on by him,

(*b*) the delivery or collection by a person of goods which have been or are to be subjected to a process or treatment in the course of a trade or business carried on by him,

(*c*) the carriage of goods in a vehicle by a manufacturer, agent or dealer, whilst the vehicle is being used by him for demonstration purposes,

shall be deemed to be vehicles used for the carriage of goods for or in connection with a trade or business carried on by the person.

5. The private carrier's permits shall be of the following classes:— Classes of permits.

(i) Ordinary private carrier's permits.

(ii) Short-term private carrier's permits.

(i) Ordinary private carrier's permits are permits granted to those in Mysore or carrying on their trade or business in Mysore for the use of the motor lorry on such trade or business carried on by them and shall, unless previously revoked or cancelled, be valid for a period ending with the 30th day of June next to the one immediately succeeding the day of the grant of the permit.

(ii) With a view to enabling motor lorries to be used temporarily for the purposes of a seasonal business or for the purposes of the execution of a piece of work or for any purpose of a limited duration, a short-term private carrier's permit may be granted in respect of a motor lorry belonging to a person or in his possession for any period less than the period of currency specified in the above sub-rule.

6. The private carrier's permits referred to in the above rules shall, while the vehicle is in motion, be always carried on the vehicle and be available for inspection by any officer of the Board or any police constable or any magistrate or authorities of the toll-gate. The permit to be carried on the vehicle.

7. No private carrier's permit granted under these rules shall be transferred from one registered owner to another save with the approval of the authority granting the permit. The fact of the transfer shall be endorsed upon the said permit by the said authority. Transfer of permits.

A fee of Rs. 5 shall be charged for every such endorsement.

8. (i) Any person applying for a private carrier's permit shall submit to the authority empowered in this behalf an application in a prescribed form containing particulars of motor lorries which belong to him or are in his possession, the particulars of the business or trade on which the motor lorry is to be used, the district within which or the places within which the vehicles will normally be used and such other information including the class of goods for the carriage of which the lorry will normally be used as may reasonably be required by the said authority for the discharge of his duties in relation to the said application. Applications for permits.

(ii) Applications for private carrier's permits shall be made to the District Magistrate of the district in which the owner resides or carries on the trade or business in respect of which the vehicle is used.

(iii) Persons residing outside Mysore or having no place of business in Mysore shall apply to the District Magistrate of the district in which the vehicle is to be used or in case of vehicles to be so used in more than one district, to the District Magistrate of the district in the limits of which the motor lorry is to pass first immediately on its entry into the State.

Officers empowered to grant permits.

9. (i) The District Magistrate shall be the officer empowered to grant private carrier's permits.

(ii) Such permits may be granted by the District Magistrate himself in regard to motor lorries which are to be normally used within the limits of his district and those of one other district adjacent to the said district.

(iii) Applications for permits for motor lorries in cases other than those specified in sub-rule (ii) above shall be referred by the District Magistrate to the Traffic Board with such recommendation as he may deem fit to make, and permits issued in accordance with their directions. The same procedure as that prescribed for the grant of permits on Through Routes for motor buses shall be followed in this case.

Permit to specify area and other conditions.

10. The authority empowered to issue the private carrier's permit shall specify in the said permit the area in which the motor lorry shall normally be used, and the commodities such motor lorry shall normally transport. In fixing these, the said authority shall take into consideration the nature, the extent and the requirements of the trade or business in respect of which the vehicle is to be used and facilities normally and reasonably required therefor.

General conditions applicable to all permits.

11. It shall be a condition of every private carrier's permit—

(*a*) that the vehicle is maintained in a fit and serviceable condition ;

(*b*) that any provisions of these rules and the Mysore Motor Vehicles Rules and orders with respect to limits of speed and weight, laden and unladen and the loading of goods vehicles are complied with ;

(*c*) that the vehicle is not used for the carriage of persons or goods for hire or reward except under a short-

term or special permit prescribed under the Public Service Motor Vehicles Rules.

(*d*) that the vehicle is not used for the carriage of goods other than those specified in the permit.

Variation of the conditions of the permit.

12. The authority granting the permit may, from time to time, on the application of the holder of the license cancel or vary the area in which the said lorry is permitted to be normally used or the class of goods it is allowed to transport. The said variation shall be valid for the period specified therein.

Validity of permits.

13. Private carrier's permits are valid for the area and the period specified therein;

(i) provided that the said permit shall cover casual, outward and home journeys through any of the districts of the State.

(ii) Motor lorries on such casual journeys shall be liable to Government tolls in the area beyond that specified in the permit.

(iii) The bridges and the roads specified in Schedule V of the Road Traffic and Taxes Regulation and bridges and roads to be constructed hereafter referred to in Section 20 of the said Regulation shall not be included in the area permitted for such lorries. Such lorries should pay tolls while passing toll-gates established on such roads or bridges.

Carriage of persons on motor lorries Inspection of private motor lorries. Appeals.

14. Rule 64, rule 12 and rules 89 to 93 of the Public Service Motor Vehicles Rules *re* the carriage of persons on motor lorries, the inspection of motor lorries and appeals, shall also apply in the case of motor lorries.

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

APPENDIX.

FORM No. 1.

Page 1.

Ordinary Private Carrier's permit for motor lorry.

The motor lorry specified on page 2 is permitted to ply within the following limits. This permit is valid up to.....

Name and address of permit-holder.

Signature and seal of District Magistrate.

Page 2.

1. Registered No.
2. Brief Description.
3. Unladen weight (cwts.)
4. Total registered laden weight.
5. Tyres :—
   (*a*) Front wheel.
   (*b*) Back wheel.
6. Other remarks.

Page 3.

Special conditions.

Page 4.

NOTES *re.*—Periodical Inspection of the vehicle and equipment and orders *re* repairs or suspension of permit, etc.

Exemptions from tolls.

(i) Municipality at which exempt from tolls.

(ii) The area in which the lorry is exempt from tolls.

(NOTE.—This exemption does not apply to toll-gates specified below :—

Toll-gate on the Dam at Krishnarajsagar.

Do road on bridge on the Cauvery and Kalbini at T.-Narsipur.

Do road on bridge on Hemavati at Akkihebbal and Gorur.

Signature and seal of
District Magistrate,

Printed by the Superintendent at the Government Press, Bangalore,

Immediate

DRAFT. 7 (1

No. 4085-92/Regs 46-35 Bangalore, 23rd Decr. 1935.

To

The District Magistrates

of Districts.

Sir,

Re: Road Traffic and Taxes Regulation - Rules re: permits for motor lorries.

---

1. I am directed to invite reference to the ~~rules~~ final rules regarding permits for motor lorries published under Notification No. P. ~~3908~~ 3993/Legis.46-35 dated 18th December 1935, published on page 585 of the Mysore Gazette of the 19th instant and to state that these rules will come into force on and from 1st January 1936. Spare copies of these rules will be supplied to you ~~as~~ in the next 3 or 4 days.

The form of application is under print and will be supplied in the course of ~~xxxx~~ this week.

2 Under these rules, every private lorry has to obtain a private carrier's permit. This permit is according to Rule 10 to specify the area in which the motor lorry shall normally be used, ~~and~~ the goods or class of goods the lorry may carry. The object underlying this rule is that, while every facility should be given to the private lorry owner for the use of the lorry on his business, there

~~There~~ should be sufficient safeguards to ensure that these lorries are not used for hire under the ~~rules~~ guise of private -- lorries. It is with this object that the conditions of area and the class of goods to be carried have been prescribed. It ~~will~~ is therefore ~~be~~ necessary ~~for the officers granting permits~~ to scrutinize carefully every application for permits, to make enquiries regarding the nature of the business of the vehicles is to be used ~~work~~ and fix the area and other conditions ~~with the object of giving~~ so as to give all full and reasonable facilities for the use of the motor lorry.

(ii) The form of application for permits for lorries is under print and will be sent to you shortly.

(iii) Rule 9 requires that permits may be granted by the District Magistrate himself in regard to lorries which are to work in one District and an adjacent District. Applications for lorries to work in more than 2 districts are to be referred to the Traffic Board. ~~In the case of~~ Applications for permits of the latter class ~~for working in more than 2 districts shall~~ may be forwarded to the Traffic Board after ~~the 1st week of January~~ intimation in this connection is received. ~~Such persons may, for the present, be given~~ a permit for ~~permitting~~ the lorry using only in 2 districts and ~~informing~~ them that the question of the inclusion of other areas in other districts will be considered by the Board in due course.

Such applicants may, in the first instance, be granted a permit for the use of the lorry in ~~the use of the lorry~~

(iv) Forms of permits for private motor lorries are also under print and will be supplied shortly.

I have etc.,

For General Secretary to Govt.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE. 7 6

No. P. 4085-92/Legis 4635 General and Revenue Secretariat,

Dated, Bangalore, 14th December *193* 5

FROM

The *Secretary to the Government of His Highness the Maharaja of Mysore.*
General Department.

To

The Deputy Commissioners
of Districts

SIR,

Motor Traffic and Rules regulation - Grant of permits for motor lorries.

I am directed to invite reference to the final rules regarding permits for motor lorries published under Notification No. 3993 ~~Misc~~/Legis.66-35 dated 14th December 1935 Published on page 585 Part IV of the Mysore Gazette of the 17th instant and to state that these rules will come into force on and from 1st January 1936. Some copies of these rules will be supplied to you within the next four days.

Under these rules, every private lorry has to obtain a private carrier's permit. Such permit is according to rule 10 to specify the area in which the motor lorry shall normally be used, the goods or class of goods the lorry may carry. The object underlying this rule is that, while every facility should be given to the owner to lorry-owner for the use of the lorry on his business, there should be sufficient safeguards to ensure that these lorries are not used for hire under the guise of private lorries. It is with this object that the conditions of area and the class of goods to be carried have been prescribed. It is therefore necessary to scrutinise carefully every application for permit, to make enquiries regarding the nature of business for which the vehicle is to be used and ~~fix the area~~ to fix the area and other conditions so as to give all full and reasonable facilities for the use of the motor lorries; (ii) A form of application for permits for lorries is under print and will be sent to you shortly. (iii) Rule 9 requires that permits may be granted by the District Magistrate himself in regard to lorries which are to work in one District and an adjacent district. Applications for lorries to work in more than 2 districts are to be referred to the Traffic Board. Applications for the latter class of permits may be forwarded to the Traffic Board after necessary investigation in this connection is received. Such applicants may be told at first in these cases that a permit for use of the lorry, in two districts only. They may be informed that the question of the inclusion of areas in other districts will be considered by the Board in due course.

(iv) Forms of permits for private motor lorries are also under print and will be supplied shortly.

I have the honour to be,
Sir,
Your most obedient servant,

for Secretary to Govt.

N ENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

3477-84

General and Revenue Secretariat,

Dated Bangalore, 10th February 193 6.

12a 27

FROM

The Secretary to the Government of
His Highness the Maharaja of Mysore.

To

General Department.

The District Registrar,

.....of..... District.

SIR,

Subject:- Motor Traffic - Route regulation.

I am directed to invite reference to this office letter No. F.4085-37/Legis. 46-35 dated 23-12-1935, on the above subject and to state that the Traffic Board has been constituted and all such matters as are required ~~to be referred~~ to be referred to the Traffic Board under the Rules may be forwarded to the Board in future, to the address of the Secretary, Traffic Board, General and Revenue Secretariat, Bangalore.

I have the honour to be,
Sir,
Your most obedient servant,

PS 485/17-2-36

Copy to D.G.P.

K

C.G:lc. for Secretary to Government.

Appendix F G—1]

SUBJECT.....

.....

.....

Section Legn.
File No. 46-35
Serial No. 148

No. PS 477—84

Diary No. of letter replied to.....

To

The Dt. Registrar of Distt.

Subject:- Road Traffic & Lakes Regln — permits for motor lorries.

General and Revenue Secretariat

( )

the *193* .

Sir,

Date of issue.....1)-2-36.....

I am directed to invite reference to this office letter no P 4085-92 dt. 23-12-35 on the above subject and the Traffic Board having been constituted & to state that all such matters as are required to be referred to Traffic Board under the rules may be forwarded to the Board in future, to the address of the Secy. Traffic Bd, Gen & Rev. Sects Bangalore.

Signed by.....

List of enclosures.....

Copied by .....

Examined by.....

I have the

PS 485 dt 7-2-36.

WD 08601—GPB—30,000—23-9-35

Gen. Secy.